

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 3:08-CR-142
) (PHILLIPS/SHIRLEY)
DAVID C. KERNELL,)
)
Defendant.)

ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court with regard to two search warrants, their attachments, their supporting affidavits and other supporting documents, relating to the searches of Defendant David C. Kernell's laptop computer. At the Defendant's request, the Court previously designated [Doc. 98] these documents as sealed exhibits to the December 3, 2009 hearing. The Court finds and the parties agree that references to the supporting affidavits are necessary for the Court to render its Report and Recommendation on the Defendant's motions to suppress the evidence seized pursuant to the September 20, 2008 search warrant. Accordingly, the September 20, 2008 search warrant and Attachment B in case number 3:08-MJ-1084 and the February 26, 2009 search warrant and Attachment B in case number 3:09-MJ-1028 are **UNSEALED**. The supporting

affidavits and other attachments and supporting documents will remain under seal, except for the Court's references to any of those documents in its Report and Recommendation, pending further order of the Court.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge